

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

EVERYSPACE CONSTRUCTION, LLC,

Plaintiff

v.

ENCOR SOLAR, LLC, et al.,

Defendants

Case No.: 2:23-cv-01105-APG-DJA

**Order (1) to Show Cause Why This Action
Should Not Be Dismissed for Lack of
Subject Matter Jurisdiction and
(2) Striking Certificate of Interested
Parties**

Plaintiff EverySpace Construction, LLC filed this case in this court based on diversity jurisdiction. ECF No. 1. However, EverySpace does not identify the citizenship of its own members. *See Johnson v. Columbia Properties Anchorage, LP*, 437 F.3d 894, 899 (9th Cir. 2006) (stating that “an LLC is a citizen of every state of which its owners/members are citizens”). Additionally, EverySpace does not identify defendant Angi, Inc.’s principal place of business. *See* 28 U.S.C. § 1332(c)(1) (stating that for diversity purposes, “a corporation shall be deemed to be a citizen of every State and foreign state by which it has been incorporated and of the State or foreign state where it has its principal place of business”). I therefore order EverySpace to show cause why its complaint should not be dismissed for lack of subject matter jurisdiction.

Additionally, EverySpace’s certificate of interested parties does not comply with Federal Rule of Civil Procedure 7.1(a)(2). The certificate does not identify the citizenship of the members of EverySpace as required by the recent amendment to that rule.

I THEREFORE ORDER that by August 11, 2023, plaintiff EverySpace Construction, LLC shall show cause in writing why this action should not be dismissed for lack of subject

1 matter jurisdiction. Failure to respond to this order by that date will result in this case being
2 dismissed without prejudice for lack of subject matter jurisdiction.

3 I FURTHER ORDER that plaintiff EverySpace Construction, LLC's certificate of
4 interested parties (ECF No. 2) is STRICKEN. EverySpace Construction, LLC must file a proper
5 certificate of interested parties by August 11, 2023.

6 DATED this 19th day of July, 2023.

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9 ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE